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Signature: Li-Hsien Rin-Laures Dated: December 21, 2006
Li-Hsien Rin-Laures, M.D.

EXPEDITED PROCEDURE AMENDMENT AFTER

**FINAL
ART UNIT 1617
PATENT**

Attorney Docket No. 28385/35415

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Williams et al.

Serial No. 09/529,053

Filed: April 6, 2000

**For: ANTI-VIRAL USES OF
LEFLUNOMIDE PRODUCTS**

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Group Art Unit: 1617

Examiner: S. Wang

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SUPPLEMENT TO RESPONSE TO FINAL OFFICE ACTION

WITH DECLARATION OF WALTER ATWOOD, PH.D.

Box AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In supplemental response to the final Office Action mailed November 16, 2006, Applicants submit herewith the Declaration of Walter Atwood, Ph.D.

Claim 34 (prior to entry of the December 7 amendment) or new claim 45 (as requested in the December 7 amendment) are directed to treatment of viral infection with a combination of a leflunomide product and a pyrimidine compound without antiviral activity. It was the Examiner's position in the final Office Action and during the telephonic interview of December 7, 2006 that the specification lacked written description of pyrimidine compounds "without antiviral activity." Applicants respectfully disagree. To further support Applicants' position that one of ordinary skill in the art would understand from reading the specification that Applicants were in possession of the claimed invention, Applicants submit herewith the Declaration of Walter Atwood, Ph.D.

U.S. Appl. No. 09/529,053

Dr. Atwood states that his experience and education permit him to be familiar with what one of ordinary skill in the art would have understood upon reading the application at its March 11, 1998 priority date. He states that one of ordinary skill in the art at the time would have understood that it is the leflunomide product, not the pyrimidine compound, that would have anti-viral activity. He further states that pyrimidine compounds which supply the naturally occurring nucleotides uridine, cytidine and thymidine would not be expected to have an anti-viral effect. He therefore concludes that the pyrimidine compounds to be co-administered with leflunomide product were not intended to have antiviral activity because (a) the stated purpose of the pyrimidine compound was to reduce toxicity of the leflunomide product, not for an anti-viral effect, and (b) the definition of pyrimidine compound excludes pyrimidine compounds with anti-viral activity.

For these reasons, Dr. Atwood's declaration provides evidence, which must be considered by the Examiner, that one of ordinary skill in the art at the time would have understood that the inventors were claiming the administration of pyrimidine compounds without antiviral activity as recited in unamended claim 34 (or new claim 45).

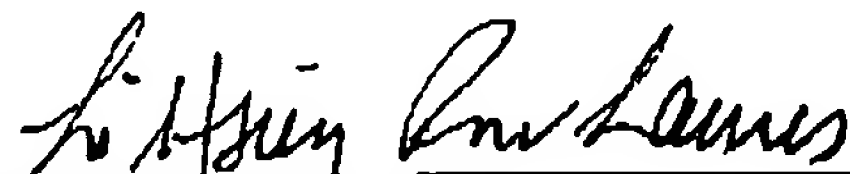
If the Examiner believes that a telephonic interview would expedite prosecution, the Examiner is encouraged to contact the undersigned.

No additional fees are believed to be necessary in connection with the present submission. However, the Commissioner is hereby authorized to charge any fees due or deficiency in the fees submitted to our Deposit Account No. 13-2855, under Order No. 28385/35415.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP

December 21, 2006



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